G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1908
(Muzrai)

File No. 3-1908

Serial Nos. 6-10.

Papers Filed.

Month July 1909.

SUBJECT.

Institution of a suit in a civil court at Madura against the Mysore Durbar by Settuva Char and others of Madura.

PREVIOUS REFERENCES.	LATER REFERENCES.
Muz F 57 of 1892.	272 - 09
" 53 of 1906 Sls 1-7	
" 3 of 1908 Sls 1-5.	

G.R.S.11] 1908.

GENERAL AND REVENUE SECRETARIAT

(Muzrai)

NOTES.

File No. 3.

FILE HEADING.

Institution of a suit in a civil court at Madura against the Mysore ... - ley Settu Vachar and others of Madura

From Joint Asst. to the Hon'ble the Resident in Mysore.

No. 1041 Dated 19 2 09 Received 21 2 09.

Diary No. 954	Enclos.	Spare Copies	Serial No. 6

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First sheet

GPB—30,000—3-1-07

P.T.O.

G.R.S. 12]
General and Revenue Secretariat.

File No. 3 of 1908

&
2

Serial No.

From

The First Assistant to the
Hon'ble the Resident in Mysore.

D.O No 1041 dated 19th February 1909.

States that Setwapathi and others of Madura, who have been granted a certificate by the Govt of India for filing a suit in a Civil Court at Madura against the Mysore Durbar in respect of the management of certain villages in the Madura District which form a portion of the endowment of the Sri Vyasaroya Matt, have since applied to the Govt of India for a general sanction to sue the Mysore Govt in respect of other properties of the matt in the respective Courts within whose jurisdiction the properties lie, and further intimates that unless the Durbar see any objection, the Hon'ble the Resident proposes to advise the Govt of India that for the reasons which justified the grant of the certificate in the case of the villages in the Madura Dt, the general sanction now applied for may also be granted.

Subt The Dewan's Order on the D.O. are "Please consult Govt Advocate"

W. Nicholson

NOTE—Contn. sheet.

GPB—50.000—13-5-08

Serial No.

Inz: U.O.No.9.
25.2.1909.

Forwarded to the Govt. advocate unofficially for favour of opinion as to whether any proceedings can be taken

CBB
24/2/09

U.O. 35
dated 27-2-1909.

VII Syst

1. The facts, so far as they bear on the subject of the letter of the Assistant Resident, are as follows:-

At the request of the Swamy of the Vyasaraya Mutt, the Government of Mysore, have been managing the Inam villages belonging to the Mutt, situated in the British Territory. The Swamy has constituted the Mysore Government his agent under a general power of attorney, and the Mysore Government have in their turn appointed one Raghavendra Rao as their agent to look after the said villages. The Mysore Government have no interest of their own in those villages. The grievance of SethwaChar and his son Gopalasamy Rao, is that they are the hereditory Parpathegars of the Mutt and as such they are entitled to manage all the Mutt properties. This right is denied by the Swamy.

2. In these circumstances, the said SethwaChar and his son will have to establish their hereditory right to such an office in a Court of law and obtain a declaration that the right to manage the villages appeartains to that office. For a suit of this kind

Note—Contn. sheet.

GPB—50.000—18-5-08

Serial No.

kind, the Swamy is the only necessary party. There is no cause of action against the Mysore Government at all, who are acting merely as the agents of the Swamy.

3. I am therefore of opinion that section 433 of the Civil Proceedure Code of 1882 or clause 86 of the new British Indian Civil Procedure Code has no application, and that the sanction of the Governor General is unnecessary.

S. Narayana Rao
Govt: Advocate

27. 2. 09

Regd & submitted as above
27.2.09

Noted
1.3.09

Note of Hon Undersecretary

The Govt Advocate is of opinion that there is no cause of action against the Mysore Govt who are only the agents of the Swamy. This has been made clear in the letter to the Resideney (Vide paras 5, 6 and 7). Should Govt of India have granted the certificate under s 433 (which is the same as section 86 of the new Code (hereinafter cited)).

The Govt of India seem to think that because the Govt [illegible] the immunable proportion of the jagir may not the certificate could be

GPB—50.000—13-5-08

Serial No.

I enclose under clause (c) of sub-section (2) of section 16. As noted by Mr. Advocate the Responsible have no control of this case ... In these circumstances a reference may be made to the Residency for withdrawing the certificate already granted and for not granting other certificates. I may also add that it will not make much even if the certificates are granted.

cl' 1

Submitted to Devan through Head Com...

Abdul Hameed
1-3-1909

Please submit a draft reply in the above terms

KBR
2/3/09

Approved
Put up draft
S.
2/3/1909

Dft Sent 2/3/1909
by 3/3/09

Residency draft submitted to Devan and the Director through the Asst Secretary

Abdul Hameed
3/3/1909

The reply may be sent as a D.O. letter from the Devan. I have indicated the necessary changes in pencil for approval

2171 (above) 2-3-09

KBR
Devan through 2nd cr

may be approved.
3

CSB
4/1

GPB—50,000—18-5-08

Serial No.

The D.O. reply has been issued to Mr Copeland, Jo No 1624 dated 7th March 1909, and the file is resubmitted with a copy of the D.O. - 8.3.09.

Ker

Ker will
8/3
9/3/09

Secy:
Submitted, Khondamir
for information
Ahmadnagar
9/8/09

Accn Ker
11/3/09

B

File & Ker present.
11/3/09

GPB—50.000—18-5-08

Serial No.

To Mr J B Copeland, I C S,
First Asstt to the Hon'ble the Resident
D.O No 1624, dy 7 3 09

Intimating that Setwa Chan and others have no cause of action against the Mysore Govt who are merely acting as Agents of the Swami, and that the conditions necessary for granting a certificate to them by the Govt of India are therefore wanting in respect of the petitioners' present application as well as of that on which the Govt of India have already granted the certificate (Vide page 3 of the note).

From Mr J B Copeland, I C S,
First Asstt to the Hon'ble the Resident.

States in reply that as the constructive possession by the Durbar of the Matt properties in British India derived under the General Power-of-Attorney affects the rights of the petitioners prejudicially, the Mysore Govt are a necessary party to the legal proceedings, and enquiries of the Durbar are prepared to follow in the case of all properties in British India the principle of the decree in the suits permitted by the Govt of India to be filed in the Civil Court at Madura, so that the Resident may, on that ground, advise the Govt of India

NOTE—Contn. sheet.

GPL—50 000—15 5-08

Serial No.

to withhold their consent to the institution of the proposed additional suits

Dewan's order

To the Munsif Branch. The Govt Advocate may also be consulted.

To

The Govt Advocate in Mysore,
Bangalore

U.O no 13 dated 15 a,5.c 1909.

Forwarded unofficially for favor of opinion

By Order,

for Secretary.
15 5 09

U.O. 43 dated 12-4-09.

The Government of India have, rightly or wrongly, granted permission to Sethwa Char, to sue the Mysore Government in respect of the Mutt property situated in Madura District, as prayed for by him in the first instance. But he has to institute a suit for a declaration of his alleged heriditory right to the office of the Parpathegar or Manager of all the property of the Mutt and for possession of the same. He seems to have, therefore, again applied to the Government of India to grant the sanction in general terms. Whether such a suit is maintainable

GPB—50,000—18-5-08

Serial No.

maintainable as against both the Principal and --- and Agent will be a question for decision by the Court. However, as agents of the Mutt, the Government of Mysore will be bound by the decree that may be passed by the Madura Court against the Swamy of the Mutt. I, therefore, suggest that the Residency may be informed that the Government of Mysore have no objection to adopt the course indicated in para 3 of the Assistant Resident's D.O. dated the 31st March 1909, in respect of all other properties ---- situated in the British Territories.

S Narayana Rao
12. 4. 09. Asst Sec:

Note by the Under Secretary :-

1. It appears to me necessary to give a short history of the case for the information of the Dewan and the Councillor.

2. On account of mismanagement on the part of the late Swami who had contracted large debts, the Mutt properties were taken under Government management. The properties in Mysore are managed as ordinary Govt. villages by Amildars

GPB—50,000—12-5-08

Serial No.

3 With regard to the properties in British India the Swami has executed a Power of Attorney in favour of the Dewan of Mysore who in his turn has appointed one Raghavendra Rao as his Agent. Raghavendra Rao was formerly in the British Military Service and was for some time at Hunsur in charge of the Cattle Depôt there. He has retired from that Service.

One Gopalasami Rao of Madura claims to be a hereditary Mukhami or Agent of the Matt under a Nirup said to have been granted by the late Swami. This Gopalasami Rao is a very mischievous person. He was the chief person to complain against the late Swami and get him deprived of the management of the Matt properties. He expected to get something from Government but was disappointed.

5 He is in possession of almost all the important papers of the Matt. For some time he joins the Kundapur Vyasarayaswamis party and sets him up

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

against the Sosale matt. Then he joins the latter party and tells them that he is in possession of documents which will put an end to the pretensions of the Kundapur Vyasaraj Swami matt. He induces people who are in no manner connected with this matt to call themselves well wishers thereof and present memorials to H.H. the Maharaja. Having been disappointed, his chief object is to harass Govt. and make them withdraw from their agency and then to insinuate himself into the Swamis favour on the ground of helping him with the necessary documents in the disputes with the Kundapur Swami. With this object he has not only behaved as stated in the previous paragraph but has obtained permission from the Government of India to file a suit against the Mysore Govt. in the Courts at Madras. Not being satisfied with this he wants a general permission to sue in all Courts within whose jurisdiction the matt has properties.

GPB—50.000—13-5-08

Serial No.

7 As regards this general permission the Hon'ble the Resident says he will not advise the Govt. of India to grant it provided that the Durga agree to follow in the case of all the Matt properties the principle of any decree that Gopalasamy Rao or his father Settuvachar may obtain in the Madura Court. The Govt. Advocate says that this condition may be accepted. A draft in accordance with the above recommendation is put up.

8 It may however be asked why should Govt. be troubled with all this? Why should they not confine themselves to the properties in Mysore Province and sever their connection with the properties in British India? The present First Councillor who formerly was in charge of this department, more than once told me that this should be done. I believed that with the change of administration the Agency might end, but find that the Dewan for the time being is

NOTE—Contn. sheet.

GPB—50 000—13-5-08

Serial No.

to be the Agent. There can be no doubt that when the properties are given back they will not be properly managed. At the same time I must admit that as we have to entirely depend upon the Govt. Agent, the management now is not as satisfactory as the management of the properties in Mysore.

Subd to Dewan and 2nd Commissr through the Secretary.

15th April 1908.

The Draft put up may please approve

15/4/08

Please let me see the Power of attorney executed by the Swami on behalf of Govt.

22/4/08

If the Government has to withdraw from the agency, we may

GPB—50,000—13-5-08

Serial No.

Consider that matter separately later on (The file may be sent up to me by the Office).

At present, I see no objection to send the letter drafted (with a slight addition made by me) to the Residency.

416
24.4.09

22/4/9

GPB—50 000—16-5-08

97

#9
15

May 1 & 8 of 1909.

Submitted to His Highness.

In continuation of the late Dewan's note of the 8th December 1908 regarding a certificate granted by the Government of India to Sethuvachar and others of Madura consenting to their filing a suit in a Civil Court at Madura against the Mysore Durbar in respect of the management of three villages in the Madura District which form a portion of the endowment of the Vyasaraya Mutt, I submit for information the further D.O. correspondence on the subject which has passed between the Residency and the late Dewan.

2. In his D.O. letter No.1041 dated 19th February 1909 Mr. Copeland said that Sethuvachar and others had since applied to the Government of India for a general sanction to sue the Mysore Government in respect of other properties of the Mutt and that, unless the Durbar saw any objection, the Hon'ble the Resident proposed to advise the Government of India that the general sanction applied for might be granted. Mr. Madhava Rao in his reply, No.1624 dated 7th March 1909, pointed out that there was no cause of action

against the Mysore Government and that the conditions necessary for granting a certificate were wanting in respect of the last application of Setuvachar and others as well as in respect of their original application on which the Government of India had already granted a certificate.

3. To this letter, the First Assistant Resident has sent a reply, No.2066 dated 31st March 1909, stating that the Durbar appear to be a necessary party to the proposed legal proceedings, but that the Resident is inclined to advise the Government of India to withhold their consent to the institution of the proposed additional suits, if the Durbar are prepared to follow in the case of all the properties the principle of such decree as the petitioners may obtain in the suit in the Madura District.

4. I also submit the draft of a reply to this letter, proposed by the Second Councillor saying that the Durbar are prepared to allow the principle of the decision in one case to govern other similar cases.

5. It seems to me however that the important and fundamental question of the Government withdrawing from this Agency, which has been raised by the Muzrai Superintendent, should be first considered.

Q

x Vide para 8 (at page 16 of the notes)

There is much awkwardness and considerable impairment of the dignity of the Durbar in their being dragged into Courts and Cutcheries in British India in an avoidable matter of this kind, and it behoves the Durbar to think twice before they place themselves in such a position.

Mur F 3 of 1908 18

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

30.4.09 72

Further Residency correspondance in the matter of the application of Setuva Char and others for sanction to file a suit against the Mysore Durbar in connection with the properties of the Sri VyasarayaSwami Matt.

Order.

936.

166 4.6.09

I approve of the draft reply to the Residency. I agree at the same time with the Dewan that it is desirable for the Durbar to withdraw, if possible, from its agency, but such a withdrawal will not affect our liability to Civil action relating to the past. Steps should be taken towards withdrawal if that is feasible.

K.P.J.S 2/6/09

Murray Esq
I Please give the draft* (as soon as possible) dealwith this
2 And (as soon as possible) deal with this
general question of withdrawal that
has been discussed with you personally from
time to time

(* Do has been issued & copy placed in file)

1/9 Secretariat 7 6

Serial No.

To

The First Asstt to the Hon'ble the Resident.

D.O No. 62 dated 3rd June 1909.

Intimates that His Highness' Govt see no objection to adopt the course suggested by the Resident to allow the principle of the decision in the Madura case to govern other similar cases to the same extent as the Swami Matt will be bound by the decisions obtained against him in those cases.

From the same.

No 4430 dated 5th July 1909.

Forwards for information copy of Office Memorandum No. 1283-I.B dated 24th June 1909 issued by the Govt of India, Foreign Deptt, to Setuvathen and others of Dharapuram Coimbatore Dt, informing them that pending decision in the suit which they had already been permitted to file in a Civil Court at Madura against the Mysore Durbar in respect of the properties of the Sri Vyasaraya Matt in the Madura Dt, the Governor-General in Council cannot consent to the institution of additional suits by them in respect of the Matt properties in other Districts also, the merits of such suits being precisely the same as those of the suit already pending

NOTE—Contn. sheet.

GPB—50,000—13-5-08

Please send
Sub Assistant

No 1041 file

G.O from No: 1275

THE RESIDENT MYSORE

BANGALORE.

19th Feb, 1909

D954

Dear Mr. Hadow

Will you please refer to this office endorsement No. 6449 dated the 2nd December 1908, forwarding a copy of a certificate granted by the Government of India permitting the institution in a Civil Court at Madura of a suit against the Mysore Durbar in respect of the management of 3 villages in the Madura District which form a portion of the endowment of the Vyasaraya Mutt.

Sethwachar and others of Madura, the grantees of the certificate, have since applied to the Government of India for a general sanction to sue the Mysore Government , in respect of other properties of the Mutt, in the respective Courts within whose jurisdiction the properties lie. Unless the Durabr see any objection , Mr. Fraser proposes to advise the Government of India, that for the reasons which justified the grant of the

certificate in the case of the villages in the Madura District, the general sanction applied for may be granted in respect of all the properties of the Mutt that are situated in British Provinces.

Yours sincerely,

C. Rajagopalachariar

To

V.P. Madhava Rao, Esq., C.I.E.,
Dewan of Mysore.

D.O. letter No. 1041, dated 19th February 1909, from
~~Read~~ J. B. Copeland Esqre, I C S., First Assistant to the
Hon'ble the Resident in Mysore, to V. P Madhava Rao Esqre,
C I. E, Dewan of Mysore.

Received

To

The First Assistant to the
Hon'ble the Resident in Mysore

Sir,

(I am directed to acknowledge receipt of) your D/O letter
No 1041, dated the 19th ultimo,
(addressed to the Dewan of Mysore), saying that under
the Durbar see last any objection, to
the Hon'ble the Resident
advising the Govt of India
to grant the general sanction
applied for by Setwapha and others of
Madura to sue the Mysore
Govt in respect of their claim to the
management of the several properties
of the Sri Vyasanajaswami
Matt situated in the British
Provinces, (and in reply, to
state as follows:)—

2 From para 3 of (this

the Dr.

Office) letter no. 46 / MMZ 3-08-2, dated

6th October 1908, to the Residency).

it may be (observed) that the Govt

of Mysore, have, at the request

of the Swamigalu of the Sri Vyasa

rajaswami Matt, been (merely)

managing the inam villages

belonging to the Matt situated

in (the) British (Territories) India. The

Swamigalu has constituted

the Maharaja Govt of Mysore as

his Agent under a General

Power-of-Attorney, and the

Govt of Mysore have in their

turn appointed one Rt. Ragha-

vendra Rao, as their Agent to

look after the said villages.

It will thus be seen that the

Govt of Mysore have no interest

of their own in those villages.

3. The grievance of Setuwaphar and others is they are the hereditary Pattegars of the Matt and as such are entitled to manage all the Matt properties As this right is denied by the Swamiji himself the said Setuwaphar and others will have to establish their right in a Court of law by means of a suit to which the Swamiji is the only necessary party. There is therefore no cause of action against the Mysore Govt. who are merely acting as the Agents of the Swamiji.

In these circs, Sec 433 of the Civil Procedure Code of 1882 & Sec 86 of the

it seems to me that there is no necessity for framing a certificate under

New Civil Procedure Code (Act V of 1908)

Am writing a ~~has no application to the present~~ ~~case, and I am~~ to request that you will be so good as to move the Hon'ble the Resident to advise the Govt of India not only to decline to grant the general sanction applied for by Setuwathan and others, ~~to cancel the certificate already granted~~ to sue the Mysore Govt in respect of the Matt properties, in the respective Courts in whose jurisdiction such properties lie but also to ~~withdraw~~ cancel the certificate already granted to them with reference to the ~~Matt properties situated in the~~ three villages in the Madura District.

in respect of the present application of Setuvachar Ettus, as well as in respect of their original application in which the Govt of India have already granted a certificate

I have &c,

(H Secretary.)

Inw/- 3-08-7

D.O. No. 1621. Bangalore,
7th March 1909.

Dear Mr. Copeland,

I am in receipt of your D.O. letter No. 1011 dated the 19th February 1909, saying that unless the Durbar see any objection, the Hon'ble the Resident proposes to advise the Government of India to grant the general sanction applied for by Setuvachar and others of Madura to sue the Mysore Government in respect of the petitioners' claims to the management of all properties of the Vyasarayaswami Matt situated in the British Indian Provinces.

2. From a perusal of the Durbar's official letter No. C/His 3-08-2 dated the 9th October 1908 to the Resident, it may be seen that the Government of Mysore have, at the request of the Swami of the Vyasarayaswami Matt, been managing the inam villages belonging to the Matt situated in British India. The Swami has constituted the Government of Mysore as his Agent under a General Power-of-Attorney, and the Govt. of Mysore have in their turn appointed one M. Raghavendra Rao as their Agent to look after the said villages. It will thus be seen that the Government of Mysore have no interest of their own in those villages.

3. The grievance of the petitioners, Setuvachar and others, is that they are the hereditary Parpathegars or Agents of the Matt and are as such entitled to manage all the Matt properties. As this right is denied by the Swami, the said Setuvachar and others have to establish their right in a Court of Law by means of a suit to which the Swami is the only necessary party. There is therefore no cause of action at all against the Mysore Government who are merely acting as the Agents of the Swami.

4. In these circumstances, it seems to me that the conditions necessary for granting a certificate under Section 183 of the Civil Procedure Code of 1882 or Section 86 of the new Civil Procedure Code (Act V of 1908) are wanting in respect of the present application of Setavachar and others, as well as in respect of their original application on which the Government of India have already granted a certificate.

Yours sincerely,

(Sd) V.P. Madhava Rao.

G.R.S. 13]

Do. From No: 1348.

D1226

No. 2066. Jud F3-08-8

THE RESIDENT MYSORE

BANGALORE.

Dated the 31st March 1909.

Dear Sir Madhava Rao,

I am desired to acknowledge the receipt of your D.O. letter No. 1624 dated the 7th ~~and~~ 6th March 1909 regarding the grant of the general sanction applied for by Sethuvacour and others of Madura, to institute suits against the Mysore Government in respect of the management of all the properties of the Vyasaraya Mutt, situated in British India, and in reply to state as follows:-

2. The management of the properties of the Mutt situated in British India appears to have been made over to the Durbar for a period of 25 years from the 25th October 1905 under a general power of attorney of that date executed in their favour by the head of the Vyasaraya Mutt. This document provides that the powers conferred thereby shall be irrevocable during the said period, and it is presumably under its terms that the Durbar have assumed control over the Mutt lands in British India.

at once
W 3/4/09

3. The Durbar are thus in constructive possession of the Lutt properties in British India and as the rights claimed by the petitioners are opposed to those purporting to be confirmed by the power of attorney referred to above, the Durbar appear to be a necessary party to the proposed legal proceedings. As, however, the merits of the further suits, which it is now desired to bring, appear to be of precisely the same as those of the suit which the petitioners have already been permitted to file in a Civil Court at Madura, the Resident is inclined to advise the Government of India to withhold their consent to the institution of the proposed additional suits in British India, if the Durbar are prepared to follow in the case of all the properties the favourable of such decree as the petitioners may obtain in the suit in the Madura District.

4. Mr. Fraser will be glad to hear that this course meets with the concurrence of His Highness' Government.

Yours sincerely

V. P. Madhava Rao, Esq., C.I.E.,
Dewan of Mysore,
Bangalore.

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N. B. –Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

GPB—15,000—19 5-08

Refer
continue note
at once.
W 3/4/09

GA

Bangalore,
April 1909.

Sir

Dear ~~Mr. Copeland~~,

I am in receipt of your D.O. letter no. 2066, dated the 31st March 1909 in the matter of the application of Setuvachan and others for a general sanction to sue the Govt. of Mysore in the Courts in British India in connection with the properties of the Vyasaroyaswami Matt.

You say that, as the suits to be filed by the petitioners will all appeal to be of the same nature, the Resident will advise the Govt. of India not to grant the general permission now asked for, provided that the Durbar agree to follow in the case of all the Matt properties the

principle of the decrees that petitioners may obtain in the Courts of Madura. ~~I see~~ no objection to adopt the course thus indicated and allow the principle of the decision in one case to govern other similar cases and therefore request that the Govt of India may be advised not to grant the general permission sought for.

to the same extent as the Swami of the Matha would be bound by the decisions obtained against him in those Cases.

Yours sincerely,

19/10/09

10.4.1909

22/4

D.O no: 62.

Mey A 3-08-9

Camp Mysore,

3rd June 1909.

My dear Sir,

Please refer to your D.O. letter No.2066 dated the 31st March 1909, addressed to the late Dewan, Mr. V.P. Madhava Rao, C.I.E., in the matter of the application of Setuvachar and others for a general sanction to sue the Government of Mysore in the Courts in British India in connection with the properties of the Vyasarayaswami Matt.

You say that, as the suits to be filed by the petitioners appear to be all of the same nature, the Resident will advise the Government of India not to grant the general permission now asked for, provided that the Durbar agree to follow in the case of all the Matt properties the principle of the decrees that petitioners may obtain in the Courts of Madura. His Highness' Government see no objection to adopt the course thus indicated and allow the principle of the decision in one case to govern other similar cases to the same extent as the Swami of the Matt would be bound by the decisions obtained against him in those cases.

Yrs sincerely

(Sd) T. Ananda Rao

T.B. Copeland Esqr., I.C.S.,
First Assistant to the Hon'ble the Resident
in Mysore, Bangalore.

Office Memorandum No. 1233-I.B., dated the 24th June 1909 from the ~~Assistant Secretary to the~~ Government of India, Foreign Department, to Sethuvachar, son of Ananda Theerthachar, Dharapuram, Coimbatore District, Madras Presidency.

The undersigned is directed to refer to the application, dated the 14th January 1909, received from Sethuvachar, M.S. Gopalasamy Row, and Subba Row, praying for general sanction to institute suits against the Mysore Durbar in respect of the properties of the Vyasaraya Swami Mutt situated in British ---- India.

2. In reply the petitioners are informed that pending a decision in the suit which they have already been permitted, in the Office Memorandum from the Government of India in the Foreign Department No. 4-.I.B., dated the 21st November 1908, to file in a Civil Court at Madura, the Governor-General in Council --- cannot consent to the institution against the Mysore Durbar of the proposed additional suits, the merits of which appear to be precisely the same as those of the suit already pending.

No. 4430. 946 Mysore Resident's Office,
Bangalore, dated the 5th July 1909.

A copy of the foregoing Memorandum is forwarded herewith for the information of the Government of His Highness the ---- Maharaja of

P.T.O.

Maharaja of Mysore, in continuation of this office endorsement No. 6449, dated the 2nd December 1908.

First Assistant Resident.

K.M.